

## AFFIDAVIT

1. My name is Bob Bialozynski, and I was employed by Aether Technologies on or about December 20, 2000.

2. Aether Technologies' confidential document entitled AIM.net Architecture Version 1.1, was an internal company document as of December 20, 2000, not intended to be viewed by persons outside of Aether Technologies. The document itself so states on page 6. To the best of my knowledge, AIM.net Architecture Version 1.1 was not published and not available to the public on or before December 20, 2000.

3. I declare under penalty of perjury that the foregoing is true and correct.

Robert M. Bialozynski  
Signature

Director of Engineering  
Title

6/27/2005  
Date